

1 THE HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,) No. 2:21-cr-00218-RAJ
11 Plaintiff,)
12 v.) ORDER GRANTING MOTION
13 JIMMY GENE MILLER JR,) TO CONTINUE TRIAL DATE AND
14 Defendant.) PRETRIAL MOTIONS DEADLINE

15 THE COURT has considered the unopposed motion of the defense to continue
16 the trial date now set for June 27, 2022. The Court finds that:

17 (a) taking into account the exercise of due diligence, a failure to grant a
18 continuance in this case would deny counsel for the defendant the reasonable time
19 necessary for effective preparation due to counsel's need for more time to review the
20 evidence, consider possible defenses, and gather evidence material to the defense, as set
21 forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

22 (b) a failure to grant such a continuance in this proceeding would likely result in
23 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

24 (c) the additional time requested is a reasonable period of delay, as the
25 defendants has requested more time to prepare for trial, to investigate the matter, to
26 gather evidence material to his defenses, and to consider possible defenses;

1 (d) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and the defendants in any speedier trial,
3 as set forth in 18 U.S.C. § 3161(h)(7)(A);

4 (e) the additional time requested between the current trial date of June 27, 2022,
5 and the new trial date is necessary to provide counsels for the defendants the reasonable
6 time necessary to prepare for trial, considering counsels' schedules and all of the facts
7 set forth above;

8 IT IS THEREFORE ORDERED that Defendant's unopposed motion (Dkt. 46) is
9 GRANTED. The trial date in this matter is continued to December 5, 2022.

10 IT IS FURTHER ORDERED that the period of delay from the date of this order
11 to the new trial date of December 5, 2022, is excludable time pursuant to 18 U.S.C. §§
12 3161(h)(7)(A) and (h)(7)(B)(iv).

14 DATED this 31st day of May, 2022.

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16 HON. RICHARD A. JONES
17 United States District Judge